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Attorney Docket No. A-21-1

Customer No: 021394

Application No.: 10/661,118

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CERTIFICATION OF FACSIMILE TRANSMISSION

In connection with U.S. Patent Application of **Paul O. Davison et al.**, Application No. 10/661,118, I hereby certify that the following **Response to Restriction Requirement** is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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PATENT

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on

Nov. 1, 2005

by

Michelle Nicely

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Paul O. Davison et al.

Application No.: 10/661,118

Filed: September 12, 2003

For: **INSTRUMENT FOR ELECTROSURGICAL
TISSUE TREATMENT**Commissioner for Patents
Alexandria, VA 22313-1450

Examiner: Rosiland Rollins

Art Unit: 3739

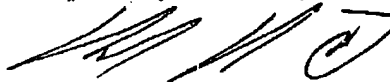
Confirmation No.: 6449

**RESPONSE TO RESTRICTION
REQUIREMENT**

In response to the Restriction Requirement mailed October 4, 2005, Applicant
elects Species XX, corresponding to figures 39a – 39c. All pending claims are readable thereon.

If the Examiner believes a telephone conference would expedite prosecution of
this application, please telephone the undersigned at (408) 736-0224.

Respectfully submitted,

Richard R. Batt
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